

veterans of the National Guard will annually assemble in brotherly reunion and as leaders, trainers and instructors in the National Guard of Texas at Camp Mabry; therefore, be it

Resolved, That Camp Mabry be re-dedicated and re-consecrated to the brave heroes of the Texas National Guard in commemoration of their services, sacrifices, bravery and patriotism of those who died on Flanders' Fields, and over whom the lilies of France will ever be a perpetual monument, and the flag of "Old Glory" will ever be their emblem, and Camp Mabry their alma mater, recalling their devotion to duty, their service to their country, their liberation of France and our allies in foreign fields, another Faniel Hall, the cradle of liberty of the world.

Have had the same carefully compared, and find the same correctly enrolled.

SMITH, Chairman.

Committee Room,
Austin, Texas, Jan. 21, 1919.
Hon. J. J. Strickland, President Pro Tem. of the Senate.

Sir: Your Committee on Enrolled Bills, to whom was referred Senate Concurrent Resolution No. 8:

Whereas, The time for planting a crop is now near at hand, and it is of the utmost importance to all the people of this State, and especially to those of the drouth stricken portions of the same, that bountiful crops be planted, matured and harvested this year and as large a supply as possible be produced of cattle, hogs, poultry and other food products; and

Whereas, Owing to the present war conditions a scarcity of labor exists on the farms and ranches in every portion of this State; and

Whereas, Owing to the recent armistice between the allies and Germany and other Central Powers, the army and navy of the United States of America is now being demobilized; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That in the demobilization of the army and navy preference should be given to such soldiers, seamen and others as prior to the war were engaged in and intend and desire to return to their former occupations of

farming and stock raising, to the end that all such may return to their homes at once and in time to plant, cultivate and mature during the present year full crops and produce supplies of meats and foodstuffs and that the agricultural and cattle raising resources of this State may be developed to their fullest extent;

Resolved further, That copies of this resolution be forwarded to our Senators and Representatives in Congress with the request that this matter be taken up with the War Department, Navy Department and the Adjutant General, and that such action be taken by the Congress of the United States as may be necessary to the end that all such men may be discharged and returned to their homes at the very earliest possible date consistent with the welfare and safety of the Nation.

Have had same carefully compared, and find the same correctly enrolled.

SMITH, Chairman.

EIGHTH DAY.

Senate Chamber,
Austin, Texas, Jan. 23, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

| | |
|---------------------|-------------|
| Alderdice. | Gibson. |
| Bailey. | Hall. |
| Bell. | Hertzberg. |
| Buchanan of Bell. | Hopkins. |
| Buchanan of Scurry. | Johnston. |
| Caldwell. | McNealus. |
| Carlock. | Page. |
| Clark. | Parr. |
| Cousins. | Smith. |
| Dayton. | Strickland. |
| Dean. | Suiter. |
| Dorough. | Westbrook. |
| Dudley. | Williford. |
| Faust. | Witt. |
| Floyd. | Woods. |

Absent.

Woodward.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

Excused.

Senator McNealus was excused from attendance for today on account of sickness, on motion of Senator Alderdice.

Petitions and Memorials.

See Appendix.

Standing Committee Reports.

See Appendix.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Jan. 23, 1919.
Lieutenant Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House requests the return of H. J. R. No. 1 to the House, so that said resolution can be engrossed.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

Bills and Resolutions.

By Senator Buchanan of Scurry et al.:

S. B. No. 109, A bill to be entitled "An Act to recover to the public free school fund the excess in surveys made for individuals, railroad companies and the State or the school fund, by virtue of certificates issued for the construction of railroads and other works of internal improvements; and certificates issued to individuals which require the location of a like amount of land for the State or school fund; and the surveys sold under the Fifty-cent Acts of July 14, 1879, Chapter 52, and March 11, 1881, Chapter 33, providing for ascertaining such excess, its sale, the adjustment of land lines, the protection of public and private improvements in relation to the adjustment of such excess acreage by amending Articles 5396 and 5397, Revised Civil Statutes of 1911, and adding thereto two new articles as 5397a and 5397b and repealing Articles 5399 and 5400, Revised Civil Statutes of 1911, and declaring an emergency."

Read first time, and referred to Committee on Land and Land Office.

By Senator Carlock:

S. B. No. 110, A bill to be entitled "An Act defining live stock commission merchants; requiring such merchants to give bond; providing for renewal of such bond; imposing penalties for pursuing the occupation of live stock commission merchant when bond has not been made, or when there has been an intentional breach of said bond; requiring remittances of the proceeds of stock sold by such commission merchant to be made to the consignees within forty-eight hours after such sale has been made, either in certified check or bank exchange, unless waived in writing by such consignee; providing for suits under such bond; fixing the venue of such suits; repealing all laws in conflict therewith, and declaring an emergency."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Carlock:

S. B. No. 111, A bill to be entitled "An Act authorizing any town or city in this State which may have been, or may hereafter be, chartered or organized under the laws of Texas, or by special act or charter, to develop or lease any oil or mineral lands owned or held by such town or city; also authorizing such cities and towns to provide for the health, comfort, convenience, recreation and amusement of the citizens of such town or city, and to use the public places, parks and reservoirs owned by such town or city, and to make necessary regulations and reasonable charges therefor."

Read first time, and referred to Committee on Towns and City Corporations.

By Senator Dean:

S. B. No. 112, A bill to be entitled "An Act making an appropriation of one million (\$1,000,000.00) dollars to the available school fund of the State of Texas for the scholastic year beginning September 1, A. D. 1918, and ending August 31, A. D. 1919, and providing for the method of its distribution, and declaring an emergency."

Read first time, and referred to Committee on Finance.

By Senator Johnston:

S. B. No. 113, A bill to be entitled "An Act to amend Article 5685 of the Revised Civil Statutes of Texas of 1911, by providing that no action for injuries done to the character or reputation of another by libel or slander shall be maintained unless written notice of the claim therefor has been given by the claimant to the adverse party or parties within ninety-five days after the accrual of the cause of action."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Johnston:

S. B. No. 114, A bill to be entitled "An Act to fix the venue of suits for damages for libel and slander."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Johnston:

S. B. No. 115, A bill to be entitled "An Act to amend Article 5597 of Chapter I, Title 84, of the Revised Civil Statutes of Texas of 1911, so as to make privileged, without proof of actual malice, fair, true and impartial accounts of all executive and legislative proceedings, including all reports and proceedings in or before legislative committees, boards of managers of public educational and eleemosynary institutions, city councils and other governing bodies of cities or towns, commissioners' courts and boards of trustees of public schools."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Clark:

S. B. No. 116, A bill to be entitled "An Act to levy and collect annually a five-dollar road tax against all able-bodied citizens of Fayette County who are between the ages of 21 and 60 years; providing the manner of assessment and collection of said tax, and further providing for a penalty for failure or refusal to pay said tax; repealing all laws in conflict therewith, and declaring an emergency."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senator Cousins:

S. B. No. 117, A bill to be entitled "An Act to amend an Act passed by the Thirty-second Legislature and approved on the 23d day of March,

1911, by adding to said Act Section 17, providing that the funds hereafter derived from any county road tax or from the sale of any county road bonds, and not such funds as have been provided by elections in precincts or defined districts, shall be prorated between the commissioner's precincts of said Hardin County when said tax is so levied or said bonds are so issued, in the ratio that the amount of taxes collected in the precinct bears to the whole amount so collected or obtained by the county, and the Commissioners' Court shall require the County Treasurer to keep a separate account for each commissioner's precinct of said county of all the road funds so arising or obtained by the county, and declaring an emergency."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

Simple Resolution No. 32.

Be it resolved, That the Senate during the session of the Thirty-sixth Legislature take up bills and joint resolutions for consideration and passage in the order in which they appear on the calendar of the Senate.

WILLIFORD.

The resolution was read, and Senator Williford moved its adoption.

As a substitute, Senator Westbrook moved that the resolution be referred to the Committee on Rules.

Senator Dean moved the previous question on the substitute, which, being duly seconded, was accordingly ordered.

The substitute motion to refer was substituted, and then adopted as substituted, and the resolution was then referred by the Chair to the Committee on Rules.

Simple Resolution No. 33.

Be it resolved by the Senate, That the presiding officer of the Senate shall refer all bills to the proper committee, and that in the future no bill shall be referred to any committee on motion of or at the suggestion of any member of the Senate unless said motion or suggestion is made by a member to refer a bill to the proper committee.

WESTBROOK.

The resolution was read, and on motion of Senator Caldwell the same was referred to the Committee on Rules.

Simple Resolution No. 34.

Whereas, there has been referred to the Committee on Privileges and Elections in the Senate the matter of the contest for a seat in this Senate by D. W. Glasscock, contestant, against A. Parr, contestee, from the 23rd Senatorial district of this State, and

Whereas, said Committee on Privileges and Elections has decided that said contest should be heard, therefore be it

Resolved, by the Senate of Texas:

1st. That for the purpose of investigating said election contest all of the members of this Senate, except contestee, A. Parr, be added to the Committee on Privileges and Elections.

2nd. That the hearings in this contest be had in the Senate chamber.

3rd. That process for witnesses be issued by the chairman of the Committee on Privileges and Elections and directed to the Sergeant-at-Arms of the Senate or to any peace officer of the State of Texas.

4th. That each witness summoned and who obeys such subpoena be paid 3 cents per mile each way from the county seat of the county of his residence to Austin and return, and the further sum of \$2.00 per day for each day he is necessarily away from home in obedience to such subpoena; to be paid out of the contingent expense fund of the Senate upon verified account approved by the Committee on Contingent Expenses.

5th. That the witnesses in said hearing be sworn as in civil cases, the oath to be administered by the chairman or any member of the Committee on Privileges and Elections.

6th. That either party in said contest may invoke the rule.

7th. That a reporter or reporters be employed to report the proceeding of said hearing and the chairman of said committee is hereby authorized to appoint a committee of three Senators to employ such reporters, same to be paid out of the contingent expense fund of the Senate.

BUCHANAN of Scurry.

The resolution was read and adopted.

Resolution Signed.

The Chair, Lieutenant-Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after its caption had been read, the following:

S. C. R. No. 9, inviting the Hon. Clarence Ousley to address a joint session of the House and Senate at such time as may suit his convenience.

Senate Bill No. 5.

The Chair laid before the Senate on third reading:

S. B. No. 5, A bill to be entitled "An Act to amend Title 49, Chapter 9, of the Revised Civil Statutes of this State, and Articles 3082 and 3083 thereof, and by adding Article 3083a, prescribing the eligibility of State, county, precinct and municipal officers of this State, and prohibiting the issuance of certificates of election to anyone ineligible to hold office in this State, and prohibiting the issuance of certificates of party nominations of ineligible candidates, and prohibiting the placing of the name of any ineligible candidate upon the ballot for any general or special election; providing for writs of injunction and all other necessary process at the suit of any interested party to enforce the provisions of this Act, and conferring jurisdiction upon all the district courts of the State in cases filed hereunder, and providing that such cases shall have first right of precedence upon trial and appeal, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Westbrook, was passed by the following vote:

Yeas—26.

| | |
|---------------------|-------------|
| Alderdice. | Dudley. |
| Bailey. | Faust. |
| Bell. | Floyd. |
| Buchanan of Bell. | Hall. |
| Buchanan of Scurry. | Hertzberg. |
| Carlock. | Hopkins. |
| Clark. | Page. |
| Cousins. | Parr. |
| Dayton. | Smith. |
| Dean. | Strickland. |
| Dorough. | Suiter. |

Westbrook.
Williford.

Witt.
Woods.

Absent.

Caldwell.
Gibson.

Johnston.
Woodward.

Absent—Excused.

McNealus.

Senate Bill No. 11.

The Chair laid before the Senate on second reading:

S. B. No. 11, A bill to be entitled "An Act to require the owner, agent or lessee of any land or any present interest therein, in which any stream is located, in whole or in part, which overflows its banks and floods the land of other persons under cultivation, to keep the timber, underbrush and drifts cleared out of the channels and off the shoals of such creek, making the failure to do so a misdemeanor, prescribing a penalty, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Hopkins, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 11 put on its third reading and final passage by the following vote:

Yeas—24.

| | |
|---------------------|-------------|
| Alderdice. | Hall. |
| Bailey. | Hertzberg. |
| Buchanan of Scurry. | Hopkins. |
| Carlock. | Johnston. |
| Clark. | Page. |
| Cousins. | Parr. |
| Dayton. | Strickland. |
| Dean. | Suiter. |
| Dorough. | Westbrook. |
| Dudley. | Williford. |
| Faust. | Witt. |
| Floyd. | Woods. |

Absent.

| | |
|-------------------|-----------|
| Bell. | Gibson. |
| Buchanan of Bell. | Smith. |
| Caldwell. | Woodward. |

Absent—Excused.

McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Hopkins, was passed finally.

9—Jour.

Senator Hopkins moved to reconsider the vote by which the bill was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Joint Resolution No. 8.

The Chair laid before the Senate on second reading:

S. J. R. No. 8, A joint resolution proposing to amend the Constitution of the State of Texas by amending Article 16, Section 20, thereof by striking out and repealing said section and substituting in lieu thereof a new Section 20, prohibiting the manufacture, sale, barter or exchange in the State of Texas of spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, or any intoxicant whatever, except for medicinal, mechanical, scientific or sacramental purposes, and providing that the Legislature shall enact laws to enforce this section; providing that, until the Legislature shall provide other or different regulations on the subject, the sale of spirituous, vinous or malt liquors or medicated bitters, capable of producing intoxication or any intoxicant whatever, for medicinal purposes, shall be made only in cases of actual sickness and then only upon prescription of a regular practicing physician, subject to certain regulations with reference to the same; providing that this amendment shall be self-operative, and until the Legislature shall provide other or different penalties, the violation of any part of this constitutional amendment shall be deemed a felony, punishable by a term in the penitentiary for a term of years specified, without the benefit of any law providing for suspended sentence; etc.

Senator Dean offered the following amendment which was read and adopted:

Amend the committee report by striking out the committee amendment and by showing that the committee report was signed by the chairman of the committee.

The resolution was read second time and ordered engrossed.

Senate Bill No. 46.

The Chair laid before the Senate on second reading:

S. B. No. 46, A bill to be entitled

"An Act to authorize the Attorney General to prepare, have published and distributed 'A Peace Officers' Manual,' containing all laws of the State prescribing and pertaining to the duties, authority, activities and responsibility of peace officers, with comment and explanaton, and making an appropriation therefor."

The bill was read second time and passed to engrossment.

On motion of Senator Woods, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 46 put on its third reading and final passage by the following vote:

Yeas—24.

| | |
|---------------------|------------|
| Alderdice. | Floyd. |
| Bailey. | Hall. |
| Bell. | Hertzberg. |
| Buchanan of Bell. | Hopkins. |
| Buchanan of Scurry. | Johnston. |
| Clark. | Page. |
| Cousins. | Smith. |
| Dayton. | Suiter. |
| Dean. | Westbrook. |
| Dorough. | Williford. |
| Dudley. | Witt. |
| Faust. | Woods. |

Absent.

| | |
|-----------|-------------|
| Caldwell. | Parr. |
| Carlock. | Strickland. |
| Gibson. | Woodward. |

Absent—Excused.

McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Woods, was passed finally.

Senate Bill No. 39.

The Chair laid before the Senate on second reading:

S. B. No. 39, A bill to be entitled "An Act to amend Article 918, of the Code of Criminal Procedure of 1911, relating to the giving of recognizances on appeal by providing that in case the defendant shall fail to enter into recognizance during the term of court at which he was tried he may be permitted to give bail and obtain his release from custody by giving, after the expiration of such term of court, his bail to the Sheriff in an amount fixed by the court, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Williford, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 39 put on its third reading and final passage by the following vote:

Yeas—29.

| | |
|---------------------|-------------|
| Alderdice. | Hall. |
| Bailey. | Hertzberg. |
| Bell. | Hopkins. |
| Buchanan of Bell. | Johnston. |
| Buchanan of Scurry. | Page. |
| Caldwell. | Parr. |
| Carlock. | Smith. |
| Clark. | Strickland. |
| Cousins. | Suiter. |
| Dayton. | Westbrook. |
| Dean. | Williford. |
| Dorough. | Witt. |
| Dudley. | Woods. |
| Faust. | Woodward. |
| Floyd. | |

Absent.

Gibson.

Absent—Excused.

McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Williford, was passed finally.

Senate Bill No. 16.

The Chair laid before the Senate on second reading:

S. B. No. 16, A bill to be entitled "An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereto Section 78, providing for the creation of corporations for the establishment and maintenane of drilling companies, with authority to own and operate drilling rigs, machinery, tools and apparatus necessary in the boring or otherwise sinking wells in the production of oil, gas or water, or either, and the purchase and sale of such goods, wares and merchandise used for such business."

Senator Dorough offered the following amendment which was read and adopted:

Amend the caption by adding after the word "business" in line 15

the following "and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Dorough, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 16 put on its third reading and final passage by the following vote:

Yeas—28.

| | |
|---------------------|-------------|
| Alderdice. | Floyd. |
| Bailey. | Hall. |
| Bell. | Hertzberg. |
| Buchanan of Bell. | Hopkins. |
| Buchanan of Scurry. | Johnston. |
| Caldwell. | Page. |
| Carlock. | Parr. |
| Clark. | Smith. |
| Cousins. | Strickland. |
| Dayton. | Suiter. |
| Dean. | Westbrook. |
| Dorough. | Williford. |
| Dudley. | Witt. |
| Faust. | Woods. |

Absent.

Gibson. Woodward.

Absent—Excused.

McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Dorough, was passed by the following vote:

Yeas—25.

| | |
|---------------------|------------|
| Alderdice. | Floyd. |
| Bailey. | Hall. |
| Bell. | Hertzberg. |
| Buchanan of Scurry. | Hopkins. |
| Caldwell. | Page. |
| Carlock. | Parr. |
| Clark. | Smith. |
| Cousins. | Suiter. |
| Dayton. | Westbrook. |
| Dean. | Williford. |
| Dorough. | Woods. |
| Dudley. | Woodward. |
| Faust. | |

Absent.

Buchanan of Bell. Strickland.
Gibson. Witt.
Johnston.

Absent—Excused.

McNealus.

Senate Bill No. 36.

The Chair laid before the Senate on second reading:

S. B. No. 36, A bill to be entitled "An Act to amend Chapter 1, of Title 44, of the Revised Civil Statutes of the State of Texas, 1911, and to provide the manner in which State funds shall be kept and deposited; to define the State Depository Board and its powers, and what banks may become State depositories, and the manner and means of selection, and for the qualifications of such State depositories, providing for the distribution of such State funds among such State depositories, repealing all laws in conflict, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Hopkins, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 36 put on its third reading and final passage by the following vote:

Yeas—28.

| | |
|---------------------|-------------|
| Alderdice. | Hall. |
| Bailey. | Hertzberg. |
| Bell. | Hopkins. |
| Buchanan of Bell. | Johnston. |
| Buchanan of Scurry. | Page. |
| Caldwell. | Parr. |
| Carlock. | Smith. |
| Clark. | Strickland. |
| Dayton. | Suiter. |
| Dean. | Westbrook. |
| Dorough. | Williford. |
| Dudley. | Witt. |
| Faust. | Woods. |
| Floyd. | Woodward. |

Absent.

Cousins. Gibson.

Absent—Excused.

McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Hopkins, was passed by the following vote:

Yeas—28.

| | |
|---------------------|----------|
| Alderdice. | Clark. |
| Bailey. | Cousins. |
| Bell. | Dayton. |
| Buchanan of Bell. | Dean. |
| Buchanan of Scurry. | Dorough. |
| Caldwell. | Dudley. |
| Carlock. | Faust. |

| | |
|------------|------------|
| Floyd. | Smith. |
| Hall. | Suiter. |
| Hertzberg. | Westbrook. |
| Hopkins. | Williford. |
| Johnston. | Witt. |
| Page. | Woods. |
| Parr. | Woodward. |

Absent.

| | |
|---------|-------------|
| Gibson. | Strickland. |
|---------|-------------|

Absent—Excused.

McNealus.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, January 23, 1919.

Lieutenant-Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

By Miller of Dallas.

H. B. No. 41, A bill to be entitled "An Act to amend Article 3663 of Chapter 2 of Title 53 of the Revised Civil Statutes of the State of Texas, 1911, relating to taking depositions by oral examination and answer so as to permit the taking of depositions of witnesses and of parties to suits by oral examination and answer in any civil case in certain courts of this State where depositions are now authorized by law to be taken."

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

Bill Read and Referred.

The Chair, Lieutenant-Governor Johnson, had referred, after its caption had been read, the following House bill:

H. B. No. 41, referred to the Committee on Civil Jurisprudence.

Senate Bill No. 40.

The Chair laid before the Senate on second reading:

S. B. No. 40, A bill to be entitled "An Act to amend Article 1845, of the Revised Civil Statutes of 1911, relating to suit brought by the State of Texas or any county or city or independent school district or common school district against any offi-

cer or depository thereof, when such officers have held office for more than one term, and providing for suit against their different bondsmen, and declaring an emergency."

Senator Williford offered the following amendments which were read and adopted, seriatim:

(1) Amend Senate Bill No. 40, lines 17 and 18, by striking out the words "or common school district."

(2) Amend Senate Bill No. 40, by striking from the caption the words "or common school district."

The bill was read second time and passed to engrossment.

On motion of Senator Williford, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 40 put on its third reading and final passage by the following vote:

Yeas—24.

| | |
|---------------------|------------|
| Alderdice. | Faust. |
| Bell. | Floyd. |
| Buchanan of Bell. | Hall. |
| Buchanan of Scurry. | Hertzberg. |
| Caldwell. | Hopkins. |
| Carlock. | Page. |
| Clark. | Parr. |
| Cousins. | Smith. |
| Dayton. | Suiter. |
| Dean. | Westbrook. |
| Dorough. | Williford. |
| Dudley. | Woods. |

Absent.

| | |
|-----------|-------------|
| Bailey. | Strickland. |
| Gibson. | Witt. |
| Johnston. | Woodward. |

Absent—Excused.

McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Williford, was passed finally.

S. B. No. 46—Vote Rescinded.

Senator Woods asked unanimous consent to move that the vote by which S. B. No. 46 was passed finally be rescinded.

The motion to rescind prevailed.

Senator Woods moved to rescind the vote by which the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 46 placed on its third reading.

The motion prevailed by unanimous vote.

Senate Bill No. 38.

The Chair laid before the Senate on second reading:

S. B. No. 38, A bill to be entitled "An Act to amend Articles 4644 and 4645, Title 69, of the Revised Civil Statutes of Texas, relating to appeals in the granting, refusing to grant, dissolving and refusing to dissolve injunctions; and providing that transcript may be filed in the Court of Civil Appeals not later than twenty days after the entry of such order or judgment of record, and providing for giving appellee copy of brief."

Senator Caldwell offered the following amendment, which was read and adopted:

(1) Amend S. B. No. 38, page 2, line 6, strike out "five" and insert "two."

Senator Williford offered the following amendment, which was read and adopted:

(2) Add at the end of the caption of S. B. No. 38 the following, "and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Williford, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 38 put on its third reading and final passage by the following vote:

Yeas—23.

| | |
|---------------------|------------|
| Alderdice. | Floyd. |
| Bailey. | Hall. |
| Bell. | Hertzberg. |
| Buchanan of Bell. | Page. |
| Buchanan of Scurry. | Parr. |
| Caldwell. | Smith. |
| Clark. | Suiter. |
| Dayton. | Westbrook. |
| Dean. | Williford. |
| Dorough. | Witt. |
| Dudley. | Woods. |
| Faust. | |

Absent.

| | |
|----------|-------------|
| Carlock. | Johnston. |
| Cousins. | Strickland. |
| Gibson. | Woodward. |
| Hopkins. | |

Absent—Excused.

McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Williford, was passed finally.

Senate Bill No. 18.

The Chair laid before the Senate on second reading:

S. B. No. 18, A bill to be entitled "An Act to amend Article 1121, of Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereto Section 80, providing for the creation of private corporations for the construction, building and manufacturing of aeroplanes, including all classes of flying machines, to buy, sell and otherwise deal therein, and to operate, or have operated, any such machines for the purpose of carrying passengers and freight, both or either, including United States mail, from and to any point in this State, and subject to the laws thereof, to and from any point in any State of the United States, or any foreign country, with the right to acquire by purchase, or otherwise, and to maintain all necessary starting and alighting grounds and fields."

Senator Dorough offered the following amendment, which was read and adopted:

Amend the caption by adding after the word "fields" in line 18 the following, "and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Bell, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 18 was put on its third reading and final passage by the following vote:

Yeas—24.

| | |
|---------------------|------------|
| Alderdice. | Dudley. |
| Bailey. | Faust. |
| Bell. | Floyd. |
| Buchanan of Bell. | Hall. |
| Buchanan of Scurry. | Hertzberg. |
| Caldwell. | Page. |
| Carlock. | Parr. |
| Clark. | Suiter. |
| Cousins. | Westbrook. |
| Dayton. | Williford. |
| Dean. | Witt. |
| Dorough. | Woods. |

Absent.

| | |
|-----------|-------------|
| Gibson. | Smith. |
| Hopkins. | Strickland. |
| Johnston. | Woodward. |

Absent—Excused.

McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Dorrough, was passed finally.

Senate Bill No. 37.

The Chair laid before the Senate on second reading:

S. B. No. 37, A bill to be entitled "An Act to amend Sections 5, 13 and 14, of Chapter 4, of the Fourth Called Session of the Thirty-fifth Legislature, approved March 11, 1918, and being the Act authorizing counties, acting through their Commissioners' Courts, to purchase seeds to be planted on farms in such counties by residents thereof who are poor and unable to procure same, and to purchase feed for the work stock of such residents, and prescribing the terms and conditions, rules and regulations, by which such feed and seed will be furnished said residents of the counties who are poor and unable to procure the same; authorizing counties to use their general funds for this purpose where they have such funds; authorizing them to issue warrants against such funds if such counties will have the same when the taxes for the year 1918 are collected; conferring certain powers and prescribing certain duties relative to the administration of this Act on the Commissioners' Court and the County Clerk of the various counties of the State; defining the terms of the application and the contract by which residents of the counties acting within the purview of this Act may obtain seed and feed hereunder, and providing for the payment therefor by such persons; conferring certain power and authority upon the County Tax Collectors and County Attorneys relative to the administration of this Act; providing the terms and conditions upon which the State will advance certain amounts to the various counties of the State to augment the funds provided for the purchase of seed and feed, and the distribution of same thereunder, and the terms and

conditions hereof; prescribing certain duties for the Governor of Texas, the State Treasurer, the Comptroller of Public Accounts and the Attorney General of the State of Texas relative to the administration of this Act, providing for the repayment to the State of funds advanced by it; defining and creating certain offenses for violations of the terms of this Act, and providing punishment therefor; stating when operation may be commenced under this Act, and when the distribution of seed and feed hereunder shall cease; making an appropriation for carrying out the purpose of this Act in the sum of two million dollars, and declaring an emergency."

The committee report recommending a substitute bill was adopted.

The bill was read second time, and passed to engrossment.

On motion of Senator Bell, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 37 put on its third reading and final passage by the following vote:

Yeas—25.

| | |
|---------------------|------------|
| Alderdice. | Floyd. |
| Bailey. | Hall. |
| Bell. | Hertzberg. |
| Buchanan of Bell. | Johnston. |
| Buchanan of Scurry. | Page. |
| Carlock. | Parr. |
| Clark. | Smith. |
| Cousins. | Suiter. |
| Dayton. | Westbrook. |
| Dean. | Williford. |
| Dorough. | Witt. |
| Dudley. | Woods. |
| Faust. | |

Present—Not Voting.

Caldwell.

Absent.

| | |
|----------|-------------|
| Gibson. | Strickland. |
| Hopkins. | Woodward. |

Absent—Excused.

McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Bell, was passed by the following vote:

Yeas—26.

| | |
|------------|-------------------|
| Alderdice. | Bell. |
| Bailey. | Buchanan of Bell. |

Buchanan of Scurry. Hertzberg.
 Carlock. Hopkins.
 Clark. Johnston.
 Cousins. Page.
 Dayton. Parr.
 Dean. Smith.
 Dorrough. Suiter.
 Dudley. Westbrook.
 Faust. Williford.
 Floyd. Witt.
 Hall. Woods.

Present—Not Voting.

Caldwell.

Absent.

Gibson. Woodward.
 Strickland.

Absent—Excused.

McNealus.

Senate Bill No. 14.

The Chair laid before the Senate on second reading:

S. B. No. 14, A bill to be entitled "An Act to prohibit the maintenance and operation of pool halls within the State of Texas; defining the term pool hall as used in this Act; declaring that the threatened, actual or contemplated use of any premises, place, room, building, or part thereof, or tent or any kind of enclosure, for the purpose of a pool hall as defined in the Act, shall be enjoined at the suit of the State or any citizen thereof; stating who may be made party defendant in such injunction suit; conferring certain power and authority upon and fixing certain duties for the Attorney General and the County and District Attorneys of the State with reference to such suits; fixing the procedure in such suits; creating and defining offenses in violation of the Act, and providing the punishment therefor, and declaring an emergency."

The committee report, carrying committee amendment was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 74 put on its third reading and final passage by the following vote:

Yeas—25.

| | |
|---------------------|------------|
| Bailey. | Hertzberg. |
| Bell. | Hopkins. |
| Buchanan of Bell. | Johnston. |
| Buchanan of Scurry. | Page. |
| Clark. | Parr. |
| Cousins. | Smith. |
| Dayton. | Suiter. |
| Dean. | Westbrook. |
| Dorrough. | Williford. |
| Dudley. | Witt. |
| Faust. | Woods. |
| Floyd. | Woodward. |
| Hall. | |

Nays—1.

Caldwell.

Absent.

| | |
|------------|-------------|
| Alderdice. | Gibson. |
| Carlock. | Strickland. |

Absent—Excused.

McNealus.

The bill was laid before the Senate, read third time and

Senator Carlock offered the following amendment:

Amend Sec. 1, S. B. 14, line 21, by striking out the words "On and after the 1st day of May, A. D. 1919," and substitute the following: "On and after Sept. 1, 1919."

Senator Dayton made the point of order that the amendment is not in proper form, but should be an amendment to the amendment.

The point of order was overruled.

Action recurred upon the amendment and the same was lost by the following vote:

Yeas—12.

| | |
|-----------|------------|
| Bell. | Hertzberg. |
| Caldwell. | Johnston. |
| Carlock. | Page. |
| Dudley. | Parr. |
| Faust. | Woods. |
| Hall. | Woodward. |

Nays—16.

| | |
|---------------------|-------------|
| Alderdice. | Floyd. |
| Buchanan of Bell. | Hopkins. |
| Buchanan of Scurry. | Smith. |
| Clark. | Strickland. |
| Cousins. | Suiter. |
| Dayton. | Westbrook. |
| Dean. | Williford. |
| Dorrough. | Witt. |

Absent.

Bailey. Gibson.
Absent—Excused.

McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Floyd, was passed by the following vote:

Yeas—23.

| | |
|---------------------|-------------|
| Alderdice. | Hopkins. |
| Bell. | Page. |
| Buchanan of Bell. | Parr. |
| Buchanan of Scurry. | Smith. |
| Clark. | Strickland. |
| Cousins. | Suiter. |
| Dayton. | Westbrook. |
| Dean. | Williford. |
| Dorough. | Witt. |
| Dudley. | Woods. |
| Floyd. | Woodward. |
| Hall. | |

Nays—5.

| | |
|-----------|------------|
| Caldwell. | Hertzberg. |
| Carlock. | Johnston. |
| Faust. | |

Absent.

Bailey. Gibson.
Absent—Excused.
McNealus.

Senate Bill No. 48.

The Chair laid before the Senate on second reading:

S. B. No. 48, A bill to be entitled "An Act creating the Colorado Independent School District in Mitchell County, Texas, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 48 put on its third reading and final passage by the following vote:

Yeas—26.

| | |
|---------------------|-----------|
| Alderdice. | Caldwell. |
| Bailey. | Carlock. |
| Bell. | Clark. |
| Buchanan of Bell. | Cousins. |
| Buchanan of Scurry. | Dayton. |

| | |
|------------|-------------|
| Dean. | Parr. |
| Dorough. | Smith. |
| Dudley. | Strickland. |
| Faust. | Suiter. |
| Hall. | Westbrook. |
| Hertzberg. | Williford. |
| Hopkins. | Woods. |
| Johnston. | Woodward. |

Absent.

| | |
|---------|-------|
| Floyd. | Page. |
| Gibson. | Witt. |

Absent—Excused.

McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—26.

| | |
|---------------------|-------------|
| Alderdice. | Hall. |
| Bailey. | Hertzberg. |
| Bell. | Hopkins. |
| Buchanan of Bell. | Johnston. |
| Buchanan of Scurry. | Parr. |
| Caldwell. | Smith. |
| Clark. | Strickland. |
| Cousins. | Suiter. |
| Dayton. | Westbrook. |
| Dean. | Williford. |
| Dorough. | Witt. |
| Dudley. | Woods. |
| Faust. | Woodward. |

Absent.

| | |
|----------|---------|
| Carlock. | Gibson. |
| Floyd. | Page. |

Absent—Excused.

McNealus.

Recess.

At 12:20 o'clock p. m., the Senate, on motion of Senator Caldwell, recessed until 2:45 o'clock today.

After Recess.**(Afternoon Session.)**

The Senate was called to order by Lieutenant-Governor Johnson.

The following communication was laid before the Senate:

Austin, Texas, January 23, 1919.
Hon. W. E. Conn, Secretary of the Senate.

Dear Sir: I am in receipt of your

letter of the 23rd, transmitting a copy of Senate Concurrent Resolution No. 9, inviting me to address the members of both houses of the Legislature. I take pleasure in accepting the invitation for the evening of Monday, January 27th.

Please convey to the Senate assurance of my appreciation.

Respectfully,
CLARENCE OUSLEY.

Standing Committee Appointment.

Senator McNealus asked unanimous consent to have Senator Cousins appointed to fill a vacancy on the Committee on Labor.

The appointment was made.

Simple Resolution No. 35.

(By unanimous consent.)

Whereas, The Hon. D. M. Alexander, of Fort Worth, a former distinguished member of this body is now in the city; therefore, be it

Resolved, That the privilege of the Senate Chamber be accorded to him for the present day, and that he be invited to address the Senate.

CARLOCK.
DAYTON.
WOODWARD.
CALDWELL.

The resolution was read and adopted and the Chair appointed a special committee to escort the gentleman to the President's stand.

Executive Session.

The Chair announced that the hour, 3 o'clock p. m., the hour heretofore set for executive session had arrived, and directed the Sergeant-at-Arms to clear the chamber of all persons not entitled to remain.

It was accordingly done and the Senate proceeded to executive session.

The Secretary reported to the Journal Clerk that the following appointments by the Governor had been confirmed in executive session, to-wit.

Hon. Louis J. Wortham, to be a member of the Board of Regents of the University of Texas, vice Colonel George W. Brackenridge, resigned.

This appointment made under date of January 15, 1919.

To be Secretary of State, George F. Howard of Harris County.

To be Commissioner of Insurance and Banking, George Waverly Briggs of Galveston County.

To be State Purchasing Agent, R. L. Pollard of Uvalde County.

To be Tax Commissioner, James A. King of Wilson County.

To be Superintendent of Public Buildings and Grounds, Bruce W. Bryant of Haskell County.

To be Assistant Attorney General, E. A. Berry of Madison County.

To be State Health Officer, Dr. C. W. Goddard of Bell County.

To be Game, Fish and Oyster Commissioner, W. G. Sterrett of Dallas County.

To be Dairy and Food Commissioner, R. H. Hoffman of Denton County.

To be Adjutant General, James A. Harley of Guadalupe County.

To be Assistant Adjutant General, W. D. Cope of Childress County.

To be State Reclamation Engineer, Arthur A. Stiles of Travis County.

To be member of State Fire Insurance Commission, T. M. Scott of Travis County.

To be members of Board of Pardon Advisors, Fritz R. Smith of Scurry County and William H. Knight of Hill County.

To be Labor Commissioner, T. C. Jennings of Jefferson County.

To be members of Live Stock Sanitary Commission, W. A. Wallace of Tarrant County, Charles P. Broome of Tom Green County, and Caesar Kleberg of Kleberg County.

To be member of Board of Prison Commissioners, Sam D. W. Low of Washington County.

To be State Inspector of Masonry, E. B. Snelling of El Paso County.

Hon. Erwin J. Clark of McLennan County, Texas, Judge of Nineteenth Judicial District, appointed Jan. 16, 1919 to succeed Hon. Geo. N. Denton, deceased.

In the Senate.

Lieutenant-Governor Johnson in the chair at 4:10 p. m.

Adjournment.

At 4:12 o'clock p. m., the Senate, on motion of Senator Clerk, adjourned until 10 o'clock tomorrow.

APPENDIX.**Petitions and Memorials.**

The Chair laid before the Senate a telegram from two physicians of Amarillo, protesting the passage of House Bill No. 58, optometry bill.

Senator Clark presented a similar telegram from the Austin County Medical Society, at Bellville, Texas.

Engrossing Committee Reports.

Committee Room,

Austin, Texas, Jan. 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 11 compared, and find same correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, Jan. 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 46 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, Jan. 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 45, being a bill to be entitled "An Act to amend Articles 4644 and 4645, Title 69, of the Revised Civil Statutes of Texas, 1911, relating to appeals in the granting, refusing to grant, dissolving and refusing to dissolve injunctions; and providing that transcripts may be filed in the Court of Civil Appeals not later than twenty days after entry of such order or judgment of record, and providing for giving appellee copy of brief filed, if there be one,"

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do not pass, because its provisions are incorporated in another bill reported favorably.

DEAN, Chairman.

Committee Room,

Austin, Texas, Jan. 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 33, being a bill to be entitled "An Act to amend Article 1521 of the Revised Civil Statutes of Texas, defining the jurisdiction of the Supreme Court as amended by the Acts of 1913, page 107, further limiting the jurisdiction of the Supreme Court, and declaring an emergency,"

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

DEAN, Chairman.

Committee Room,

Austin, Texas, Jan. 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 104, being a bill to be entitled "An Act to amend Article 6967 of the Revised Civil Statutes of Texas of 1911, defining and designating the persons to whom may be granted pensions as Confederate soldiers and sailors or their widows, so as to provide that women, now widows, who were wives of Confederate soldiers and sailors and after the death of said soldiers and sailors re-married, may be eligible to the grant of a pension, and declaring an emergency,"

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

DEAN, Chairman.

Committee Room,

Austin, Texas, Jan. 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 32, A bill to be entitled

"An Act increasing the salaries of the judges of the Supreme Court and of the Court of Criminal Appeals, and judges of the Courts of Civil Appeals and District Courts of this State, and declaring an emergency,"

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

DEAN, Chairman.

Committee Room,
Austin, Texas, Jan. 23, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 99, being a bill to be entitled "An Act to amend Article 317, Title 12, of the Revised Civil Statutes of the State of Texas of 1911, empowering and authorizing the clerk of the Supreme Court to issue a license to practice law in all the courts of Texas to the holder of a diploma issued by the law department of the University of Texas and any other universities in Texas approved by the State Board of Education, and whose course of study in law covers a period of not less than three collegiate years, and declaring an emergency,"

Has had the said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

DEAN, Chairman.

Committee Room,
Austin, Texas, Jan. 23, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 84, being a bill to be entitled "An Act to amend Article 2058 of the Revised Civil Statutes of Texas of 1911, providing that during the progress of a cause, when either party is dissatisfied with any ruling, opinion or action of the court, he may except thereto, at the time the same is made or announced, and providing for bills of exception; and providing that, if the trial judge qualifies a bill prepared by any party to the cause, and such party does not agree to such qualifications as being correct, he may request the court stenographer to transcribe from his notes the facts showing the transaction and the action of the court thereon, and that same when filed with the

clerk of the trial court shall constitute a bill of exception, and no qualification thereof shall be considered on appeal; and to repeal Articles 2065, 2066 and 2067, Revised Civil Statutes of 1911, and all other laws in conflict with this act,"

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass with the following committee amendment:

Amend the bill by adding after the word "provided," paragraph 2, the following:

"That during the progress of a cause, the court stenographer shall enter in the record each exception taken by any party to the cause, together with the grounds therefor and the action of the court thereon; and."

DEAN, Chairman.

Committee Room,
Austin, Texas, January 23, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 65, have had same under consideration and beg to report it back to the Senate with the recommendation that it do pass.

SUITER, Chairman.

Committee Room,
Austin, Texas, January 23, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 106, have had same under consideration, and beg to report it back to the Senate with the recommendation that it do pass.

SUITER, Chairman.

Committee Room,
Austin, Texas, January 23, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

H. B. No. 19, A bill to be entitled "An Act to grant to every person, firm, corporation, limited partnership, joint stock association, or association of any kind whatsoever owning, operating, or managing any pipe line or any part of any pipe line within the State of Texas for the transportation of crude petroleum that is declared to be a common carrier by

and is subject to the provisions of Chapter 30 of the General Laws passed by the Thirty-fifth Legislature, approved February 20, 1917, the right and power of eminent domain in the exercise of which he, it, or they may enter upon and condemn the lands, rights of way, etc., and declaring an emergency."

Have had the same under consideration and report it back to the Senate with the recommendation that it do pass.

COUSINS, Chairman.

Committee Room,

Austin, Texas, January 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

H. B. No. 56, A bill to be entitled "An Act authorizing certain foreign corporations which more than ten years prior to the passage hereof have been convicted of violation of the provision of Title 130 of the Revised Statutes of Texas of 1911, and whose right to do business in this State was forfeited thereunder, and the fine against which was not in excess of \$3,000.00, and who have not violated any of the provisions of the judgment of forfeiture, and who have paid said fine, to revive their permits to do business in Texas, and declaring an emergency."

Have had the same under consideration and report it back to the Senate with the recommendation that it do pass.

COUSINS, Chairman.

Committee Room,

Austin, Texas, January 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Your Committee on Internal Improvements, to whom was referred S. B. No. 97, relating to limited partnerships, joint stock companies, and unincorporated joint stock associations or companies, etc.,

Have had the same under consideration and recommend that same do pass.

BUCHANAN of Scurry, Chairman.

Committee Room,

Austin, Texas, January 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Internal Improvements to whom was referred

Senate Bill No. 78, to amend Article 1306 of Chapter 24, Title 25 of the Revised Civil Statutes of Texas of 1911, have had same under consideration and report same back to the Senate with the recommendation that same do pass.

BUCHANAN of Scurry,
Chairman.

Committee Room.

Austin, Texas, January 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Internal Improvements to whom was referred Senate Bill No. 29, to permit Riviera Beach and Western Railway Company to take up and remove its entire railroad, have had same under consideration and report same back to the Senate with the recommendation that same do pass.

BUCHANAN of Scurry,
Chairman.

Committee Room.

Austin, Texas, January 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, a majority of your Committee on Internal Improvements to whom was referred Senate Bill No. 23, relating to partnerships and joint stock companies, repealing Chapters 1 and 2, Title 102, same being Articles 6126 to 6154 inclusive, of the Revised Civil Statutes of 1911, have had same under consideration and report the same back to the Senate with recommendation that same do not pass.

BUCHANAN of Scurry,
Chairman.

Committee Room.

Austin, Texas, January 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, a minority of your Committee on Internal Improvements to whom was referred Senate Bill No. 23, relating to partnerships and joint stock companies, repealing Chapters 1 and 2, Title 102, same being Articles 6126 to 6154 inclusive, of the Revised Civil Statutes of 1911, have had same under consideration and report the same back to the Senate with the recommendation that same do pass.

FLOYD.
DOROUGH.

Committee Room,

Austin, Texas, January 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Labor, to whom was referred

S. B. No. 53, A bill to be entitled "An Act requiring the employment of citizens of the United States on public work, providing that any violation of the Act shall render all contracts with the State, county or municipality void, requiring all boards, officers, agents or employees of the State, county or municipalities, having the power to enter into contracts for public works to file in the office of the Commissioner of Labor Statistics the names and addresses of all contractors holding contracts with the State, county or municipality to furnish the Commissioner of Labor Statistics the names and addresses of all sub-contractors on public work, requiring all contractors to keep a list of all employees stating whether they are natural born or naturalized citizens of the United States, and providing that all such lists shall be open to the inspection of the Commissioner of Labor Statistics; providing penalties and declaring an emergency."

Have had same under consideration and report it back to the Senate with the recommendation that it do pass.

STRICKLAND, Chairman.

Committee Room.

Austin, Texas, January 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Labor, to whom was referred

S. B. No. 52, A bill to be entitled "An Act prohibiting the employment of children under fifteen years of age in certain occupations and under seventeen years of age in certain other occupations, prescribing certain duties of employers of children, fixing the hours children can be employed, prohibiting employment of children under 17 years of age at night, providing for one day of rest for children each week, making it a misdemeanor for parents or others having control of children to make false statements or to misrepresent conditions with view to securing employment for such child or children, limiting defenses of employers of children, providing for issuance of permits to children under certain

conditions by county judges, making the issuance of permits by county judges in violation of the requirements of the Act malfeasance in office, conferring authority on the Commissioner of the Bureau of Labor Statistics, his deputies and inspectors, providing for employment of children over twelve years of age in certain employments between June 1 and September 1, defining certain words and phrases, repealing laws in conflict therewith and declaring an emergency."

Have had the same under consideration and refer it back to the Senate with the recommendation that it do pass.

STRICKLAND, Chairman.

Committee Room.

Austin, Texas, Jan. 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

S. B. No. 35, A bill to be entitled "An Act to amend Article 5243 of Chapter 1, Title 77, of the Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 115, Acts of the Thirty-third Legislature of 1913, and Chapter 48, Acts of the First Called Session of the Thirty-fifth Legislature of 1918, being an Act fixing the salary of the Commissioner of the Bureau of Labor Statistics, his assistants and inspectors, prescribing the manner in which salaries shall be paid and providing for office and traveling expenses for officers and employees in the bureau; making an appropriation for additional salaries and expenses for the bureau for the remaining part of the fiscal year ending August 31, 1919, and declaring an emergency."

Have had same under consideration, and refer it back to the Senate with the recommendation that it be referred to the Finance Committee.

STRICKLAND, Chairman.

Committee Room.

Austin, Texas, Jan. 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 69, A bill to be entitled "An Act making an appropriation for cleaning the State Library and arranging material, and declaring an emergency."

Have had the same under consid-

eration, and am instructed to report the same back to the Senate with the recommendation that it do pass with the following amendment: (1) Amend the bill by striking out the words and figures "one thousand (\$1,000.00) dollars" in Section 1 and insert in lieu thereof the words "five hundred (\$500.00) dollars."

WESTBROOK, Chairman.

NINTH DAY.

Senate Chamber,
Austin, Texas, Jan. 24, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

| | |
|---------------------|-------------|
| Alderdice. | Floyd. |
| Bailey. | Hertzberg. |
| Bell. | Hopkins. |
| Buchanan of Bell. | McNealus. |
| Buchanan of Scurry. | Page. |
| Caldwell. | Parr. |
| Carlock. | Smith. |
| Clark. | Strickland. |
| Cousins. | Suiter. |
| Dayton. | Westbrook. |
| Dean. | Williford. |
| Dorough. | Witt. |
| Dudley. | Woods. |
| Faust. | Woodward. |

Absent—Excused.

| | |
|---------|-----------|
| Gibson. | Johnston. |
| Hall. | |

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Excused.

Senator Hall for today and until next Tuesday on motion of Senator Bailey.

Senator Johnston for today and until next Tuesday on motion of Senator McNealus.

Senator Gibson for today and until Monday on account of important business on motion of Senator Caldwell.

Senator Hopkins was excused for today on account of important business, on motion of Senator Buchanan of Bell.

Petitions and Memorials.

There were none today.

Standing Committee Reports.

See Appendix.

Simple Resolution No. 36.

Whereas, The Hon. C. W. Nugent, a former member of this Senate, is now in the Capitol; therefore be it

Resolved, That he be invited to address the Senate and extended the privileges of the floor.

McNEALUS,
SMITH
SUITER.

The resolution was read and adopted, and ex-Senator Nugent being escorted to the President's stand addressed the Senate briefly.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Jan. 24, 1919.

Lieutenant Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. J. R. No. 1 (by Bledsoe et al.), A resolution proposing to amend the Constitution of the State of Texas by amending Article 16, Section 20 thereof, by striking out and repealing said section and substituting in lieu thereof a new Section 20, prohibiting the manufacture, sale, barter or exchange, in the State of Texas, of spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, or any intoxicants whatever except for medicinal, mechanical, scientific or sacramental purposes, and providing that the Legislature shall enact laws to enforce this section; providing that until the Legislature shall prescribe other or different regulations on the subject the sale of spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, or any intoxicant whatever, for medicinal purposes, shall be made only in cases of actual sickness and then only upon prescription of a regular practicing physician, subject to certain regula-